

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICOH COMPANY, LTD.,

Plaintiff,

v.

AEROFLEX INCORPORATED, et al.,

Defendants.

CASE NO. CV-03-4669-MJJ (EMC)
CASE NO. CV-03-2289-MJJ (EMC)

[PROPOSED] ORDER

SYNOPSIS, INC.,

Plaintiff,

v.

RICOH COMPANY, LTD.,

Defendant

Pursuant to the Status Conference on October 12, 2006, Synopsis and the Aeroflex Defendants have elected to proceed with a hearing on their summary judgment motions 1 and 6. [Dkt. No. 568 and 571 in 03-4669, Dkt. No. 422 and 425 in 03-2289.] Oral argument on these motions will be heard for one hour commencing at 9:30 a.m. on December 12, 2006.

Based upon their decision to proceed with motions 1 and 6, the remaining motions for summary judgment by Synopsis and the Aeroflex Defendants are hereby deemed to be withdrawn. The withdrawn motions consist of motions nos. 2, 3, 4, 5, 7, 8 and 9 [Dkt. Nos. 570, 553, 572, 565, 554, 556, and 552 in 03-4669; and Dkt. Nos. 424, 415, 426 and 419 in 03-2289]. The clerk is instructed to remove those motions from the calendar.

The Rule 11 motion of Synopsis and the Aeroflex defendants is denied for the reasons stated during the status conference. [Dkt. No. 664 in 03-4669, Dkt. No. 481 in 03-2289.]

Defendants Aeroflex and Aeroflex Colorado, Inc, have advised the Court that they consent to an

[PROPOSED] ORDER

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1 entry of judgment against them on their affirmative defense of authorization and consent. The Court
2 hereby grants Ricoh's motion for summary judgment on this issue [Dkt. No. 558 in 03-4669.] The clerk
3 is directed to enter a partial final judgment in Ricoh's favor.

4 SO ORDERED

5 DATED: _____

The Honorable Martin J. Jenkins
United States District Court Judge

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8 Submitted by:

9 DICKSTEIN SHAPIRO LLP

10 By /s/ Kenneth W. Brothers
11 Attorneys for Ricoh